

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 1261 of 1999

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO
2. To be referred to the Reporter or not? : NO
3. Whether Their Lordships wish to see the fair copy of the judgement? : NO
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO
5. Whether it is to be circulated to the Civil Judge? : NO

SARDAR PATEL UNIVERSITY

Versus

NAROTTAMBHAI TRIBHIVANDAS PATEL

Appearance:

MR MUKUND M DESAI for Petitioner

MR HJ NANAVATI for Respondent No. 1

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 27/07/1999

ORAL JUDGEMENT

Challenge has been made in this special civil application by the petitioner to the order of Gujarat Universities Services Tribunal at Ahmedabad dated 3/2/99 in application No.46 of 1998. Under this order, which runs into 45 pages the Tribunal has decided the application of the respondents for grant of interim relief. The interim relief has been granted in his favour. The respondent

had challenged before the Tribunal the order of the petitioner dated 17/10/98 under which he was placed under suspension. The prayer has also been made for stay of the departmental inquiry. The order of the suspension stayed under the impugned order but the learned Tribunal has declined to stay the proceedings of departmental inquiry.

This Special Civil Application has come up for preliminary hearing in the court on 18-2-99 and the same was admitted and interim relief in terms of para No.21(C) has also been granted. So, the impugned order of the Tribunal has remained under stay for all this time. The application is pending for final decision.

Taking into consideration the totality of the facts of the case, this Special Civil Application is disposed of in the term that the interim relief which has been granted by this court shall continue till the application of the respondent is finally decided by the Tribunal. The Tribunal is directed to decide the application finally within a period of 2 months from the date of the receipt of the writ of this order.

Rule is made absolute in the aforesaid term. No order as to costs.

(S.K.Keshote, J.)

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